UNITED STATES BANKRUPTCY COURT
Eastern District of Virginia (Norfolk)

In re Forman Earl Simmons and Georgia Ann Simmons
Debtor

Case No. 09-72969
Chapter 13

Notice of Mortgage Payment Change

If you file a claim secured by a security interest in the debtor's principal residence provided for under the debtor's plan pursuant to § 1322(b)(5), you must use this form to give notice of any changes in the installment payment amount. File this form as a supplement to your proof of claim at least 21 days before the new payment amount is due. See Bankruptcy Rule 3002.1.

Name of creditor: Taylor, Bean & Whitaker

Court claim no. (if known): 3

Last four digits of any number you use to identify the debtor's account: 3946

Date of payment change:
Must be at least 21 days after date of this notice: 10/01/2012

New total payment:
Principal, Interest, and escrow, if any: $2,217.38

Part 1: Escrow Account Payment Adjustment

Will there be a change in the debtor's escrow account payment?

☐ No
☑ Yes. Attach a copy of the escrow account statement prepared in a form consistent with applicable nonbankruptcy law. Describe the basis for the change. If a statement is not attached, explain why:

Current escrow payment: $364.45 New escrow payment: $368.06

Part 2: Mortgage Payment Adjustment

Will the debtor's principal and interest payment change based on an adjustment to the interest rate in the debtor's variable-rate note?

☑ No
☐ Yes. Attach a copy of the rate change notice prepared in a form consistent with applicable nonbankruptcy law. If a notice is not attached, explain why:

Current interest rate: ____ New interest rate: ____

Current principal and interest payment: ____ New principal and interest payment: ____

Part 3: Other Payment Change

Will there be a change in the debtor's mortgage payment for a reason not listed above?

☑ No
☐ Yes. Attach a copy of any documents describing the basis for the change, such as a repayment plan or loan modification agreement. (Court approval may be required before the payment change can take effect.)

Reason for change: ____

Current mortgage payment: ____ New mortgage payment: ____

Part 4: Sign Here

The person completing this Notice must sign it. Sign and print your name and your title, if any, and state your address and telephone number if different from the notice address listed on the proof of claim to which this Supplement applies.

Check the appropriate box:

☑ I am the creditor. ☐ I am the creditor's authorized agent.
(Attach a copy of power of attorney, if any.)

I declare under penalty of perjury that the information provided in this Notice is true and correct to the best of my knowledge, information, and reasonable belief.

X /s/ Leslie Washington
AVP BK Specialist

Date 09/10/2012

Print: Leslie Washington

Title AVP BK Specialist

Company Bank of America, N.A.
Address 2380 Performance Drive
richardson, TX 75082

Specific Contact Information:
Phone: 469-361-6366
Email: leslie.p.washington@bankofamerica.com

CERTIFICATE OF SERVICE

I hereby certify that on September 10, 2012, I have served a copy of this Notice and all attachments to the following by U.S. Mail, postage pre paid and via filing with the US Bankruptcy Court's CM ECF system.

Debtor:

Forman Earl Simmons
5601 Shinfield Drive
Virginia Beach, VA 23464

Georgia Ann Simmons
5601 Shinfield Drive
Virginia Beach, VA 23464

Debtor's Attorney:

Steve C. Taylor
Law Offices of Steve C. Taylor, P.C.
133 Mt. Pleasant Road
Chesapeake, VA 23322

Steve C. Taylor
Law Offices of Steve C. Taylor, P.C.
133 Mt. Pleasant Road
Chesapeake, VA 23322

Trustee:

R. Clinton Stackhouse, Jr.
Chapter 12/13 Trustee
870 Greenbrier Circle, Suite 200
Chesapeake, VA 23320

/s/ Bill Taylor

Authorized Agent

179121-fb7b2a47-db21-489e-925d-0f2e2ca96f24

Bank of America
Home Loans

Customer Service
PO Box 5170
Simi Valley, CA 93062-5170

Notice date: 08/15/2012
Account No.: [redacted]
Property address:
5601 Shinfield Drive
Virginia Beach, VA 23464

0033781 01 MB 0.401 **AUTO T7 0 3270 23464-6745
MSO XW AG 074------0--2-9B C0000077 IN P33814
FORMAN SIMMONS
GEORGIA SIMMONS
5601 Shinfield Dr
Virginia Beach VA 23464-6745

IMPORTANT MESSAGE ABOUT YOUR LOAN

Enclosed is an escrow analysis for your loan. The purpose of this notification is to advise you that the escrow portion of your payment is changing to $368.06 effective October 01, 2012.

WHAT THIS MEANS

This notification is for informational purposes only. Your next statement will arrive shortly. It will provide a payment coupon and will include the new escrow payment amount of $368.06.

ADDITIONAL INFORMATION

Principal Balance	$261,065.45
Partial Payment Balance (unapplied funds)	$1,883.24
Home loan payment due 09/01/2012	$2,213.77

This informational notice is being sent to the following borrowers at address set forth above in reference to the Chapter 13 Bankruptcy filing: FORMAN SIMMONS, GEORGIA SIMMONS

WHAT YOU NEED TO DO

Please keep this notification for your records.

THANK YOU FOR YOUR BUSINESS

For additional information regarding your escrow analysis, or any other account details, call 1.800.669.5224, Monday-Friday 7a.m. - 7p.m. Local Time. The address for general inquiries and all RESPA Qualified Written Requests is: Bank of America, N.A., Attn: Customer Service CA6-919-01-41, PO Box 5170, Simi Valley, CA 93062-5170.

EQUAL HOUSING LENDER
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Bank of America
Home Loans

Account Number [redacted]
Property address
5601 Shinfield Drive

Statement date
08/15/2012

Forman Simmons
Georgia Simmons

Escrow Account Review

ESCROW EXPLAINED

Part of your monthly loan payment goes into an account to pay for your property taxes and insurance premiums. During the year, payments are made out of this account when bills come due. This notice describes any changes needed in your monthly payment to maintain enough money in your escrow account to pay these bills. In our step-by-step analysis, we determine the data shown below to calculate your new escrow payment.

See below for:
- an in-depth explanation of each step of your escrow analysis
- side-by-side comparison of last year's projected and actual data

SUMMARY

Base amount needed *(see Step 1)*	The expected monthly amount needed to pay your property taxes and insurance premiums	$368.06
Shortage payment *(see Step 2)*	**The monthly amount you must pay into your escrow account to keep the balance from falling below zero during the year**	$0.00
Reserve requirement *(see Step 3)*	The monthly amount allowed by federal law for unexpected tax and insurance increases and other costs	$0.00
New monthly escrow payment *(see Step 4)*		**$368.06**
New monthly home loan payment effective 10/2012 *(see Step 4)*		**$2,217.38**

HOW WE CALCULATE YOUR ESCROW PAYMENT

STEP 1 **Determine base amount needed for the year**

Escrow items	*Amount needed*	*Frequency in months*	*Monthly amount needed*	
Homeowners insurance	$1,200.00	12	$100.00	
FHA MIP	105.71	1	105.71	
City taxes	974.11	6	162.35	
Total monthly base payment amount				**$368.06**

STEP 2 **Determine lowest projected balance**

In the chart located below, we project the amounts you will pay into your escrow account next year and the amounts we will pay out for your insurance and tax bills. Remember, these figures are only projections and may not reflect the actual payments made at the time they are due.

Month	*Escrow deposit(s)*	*Tax payment(s)*	*Insurance payment(s)*	*MIP/PMI payment(s)*	*Balance*
Beginning balance					**$3,986.48 D**
October 2012	368.06			105.71	4,248.83
November 2012	368.06	974.11		105.71	3,537.07
December 2012	368.06			105.71	3,799.42
January 2013	368.06			105.71	4,061.77
February 2013	368.06			105.71	4,324.12
March 2013	368.06			105.71	4,586.47
April 2013	368.06			105.71	4,848.82
May 2013	368.06	974.11		105.71	4,137.06
June 2013	368.06		1,200.00	105.71	3,199.41 *
July 2013	368.06			105.71	3,461.76
August 2013	368.06			105.71	3,724.11
September 2013	368.06			105.71	3,986.46
Ending balance					**$3,986.46**
Lowest projected balance					**$3,199.41**
Shortage payment amount					**$0.00**

* Lowest projected balance (LPB)

D-The letter (D) beside the escrow balance amount indicates that your mortgage payments are delinquent, and the Beginning balance from Step 2 of HOW WE CALCULATE YOUR ESCROW PAYMENT will not match the Actual Ending balance from the LAST YEAR IN REVIEW section.

At the time of analysis, Bank of America, N.A. assumes that all scheduled mortgage payments will be made to the effective date of your new payment.

Your Lowest Projected Balance (LPB) reflects a balance above zero. In the next step, we will compare this amount to your escrow reserve requirement to determine if there is an overage.

STEP 3 **Determine reserve requirement**

Federal law allows for the collection of a reserve amount to maintain a cushion for unexpected tax and/or insurance increases and other costs. The reserve used for this period is shown below.

Lowest projected balance (*see step 2 above*)	$3,199.41	
Total reserve requirement (16.6% of the base amount) *	522.60	
Additional amounts required	.00	
Monthly reserve requirement ($0.00 divided by 12)		**$0.00**
Available overage	**$2,676.81**	

* Base amount equals the total of payments anticipated to be paid out of the escrow account during the year but excludes PMI/MIP amounts.

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STEP 3 **Determine reserve requirement - continued**

Our records reflect that your Lowest Projected Balance (LPB) exceeds the reserve requirement amount. As a result, it is anticipated that you will have an overage of funds. Provided that your loan payments are current and there are no unexpected changes, we will forward an escrow overage check on 09/14/12 which you should receive within 10 days after mailing. Please note that we are unable to forward overage checks if your loan is undergoing a loan assumption. Any available overage of less than $50.00 will be credited to your escrow account and can possibly lower your monthly escrow payment.

STEP 4 **Determine monthly payments**

Calculation of monthly escrow payment

Base amount needed for taxes and/or insurance *(see Step 1)*	$368.06	
Shortage payment *(see Step 2)*	.00	
Reserve requirement *(see Step 3)*	.00	
Total monthly escrow payment		**$368.06**

Calculation of monthly home loan payment

Principal and/or interest	$1,849.32	
Total monthly escrow payment	368.06	
Total monthly home loan payment effective 10/2012		**$2,217.38**

LAST YEAR IN REVIEW

Current analysis compared to previous — ***Monthly amount***

Amount needed for taxes and insurance	*Last analysis*	*This analysis*
Homeowners insurance	$82.92	$100.00
FHA MIP	105.71	105.71
City taxes	162.35	162.35
Total base escrow payment	$350.98	$368.06
Shortage payment	.00	.00
Reserve requirement	13.47	.00
Rounding amount	.00	.00
Monthly escrow payment	**$364.45**	**$368.06**
Principal and/or interest	$1,849.32	$1,849.32
Monthly escrow payment	364.45	368.06
Total payment amount	**$2,213.77**	**$2,217.38**

Summary of escrow change

As shown, your base escrow amount increased. Your reserve percentage remained unchanged. Your reserve payment decreased. The result of these issues caused your total escrow payment to increase. Additionally, you were left with a overage.

A side-by-side comparison of last year's projected escrow account activity and actual activity can be found below.

Last year's escrow payments

Projected

Date	*Activity*	*Paid in*	*Paid out*	*Balance*
	Beginning balance			**-$23.99**
03/01/2011	Mar Payment	364.45		340.46 *
04/01/2011	Apr Payment	364.45		704.91
05/01/2011	May Payment	364.45		1,069.36
06/01/2011	Jun Payment	364.45		1,433.81
07/01/2011	Jul Payment	364.45		1,798.26
08/01/2011	Aug Payment	364.45		2,162.71
09/01/2011	Sep Payment	364.45		2,527.16
10/01/2011	Oct Payment	364.45		2,891.61
11/01/2011	Nov Payment	364.45		3,256.06
12/01/2011	Dec Payment	364.45		3,620.51
01/01/2012	Jan Payment	364.45		3,984.96
02/01/2012	Feb Payment	364.45		4,349.41
	Ending balance			**$4,349.41**

Actual

Date	*Activity*	*Paid in*	*Paid out*	*Balance*
	Beginning balance			**-$3,514.56**
03/02/2011	Mar Payment	319.16		-3,195.40
03/02/2011	Apr Payment	673.36		-2,522.04
03/04/2011	FHA MIP payment		106.95	-2,628.99
04/06/2011	FHA MIP payment		106.95	-2,735.94
04/06/2011	May Payment	673.36		-2,062.58
04/07/2011	Payment reversal	-673.36		-2,735.94
04/13/2011	May Payment	673.36		-2,062.58
05/04/2011	City tax pmt		989.24	-3,051.82
05/05/2011	FHA MIP payment		106.95	-3,158.77
05/20/2011	Homeowners ins pmt		995.00	-4,153.77
06/06/2011	FHA MIP payment		106.95	-4,260.72
07/07/2011	FHA MIP payment		106.95	-4,367.67
07/19/2011	Jun Payment	673.36		-3,694.31
07/25/2011	Payment reversal	-673.36		-4,367.67
08/04/2011	FHA MIP payment		106.95	-4,474.62
09/07/2011	FHA MIP payment		106.95	-4,581.57
10/06/2011	FHA MIP payment		105.71	-4,687.28
10/13/2011	Misc posting	658.91		-4,028.37
11/04/2011	FHA MIP payment		105.71	-4,134.08
11/07/2011	Misc posting	-658.91		-4,792.99
11/08/2011	Misc posting	658.91		-4,134.08
11/15/2011	Misc posting	-658.91		-4,792.99
11/22/2011	City tax pmt		974.11	-5,767.10
12/06/2011	FHA MIP payment		105.71	-5,872.81
01/06/2012	FHA MIP payment		105.71	-5,978.52 *
01/20/2012	Jun Payment	673.36		-5,305.16
01/27/2012	Payment reversal	-673.36		-5,978.52 *
02/02/2012	Jun Payment	673.36		-5,305.16
02/06/2012	FHA MIP payment		105.71	-5,410.87
02/27/2012	Jul Payment	673.36		-4,737.51
02/27/2012	Aug Payment	673.36		-4,064.15
02/27/2012	Sep Payment	673.36		-3,390.79
02/27/2012	Oct Payment	673.36		-2,717.43

Last year's escrow payments - cont.

Projected					*Actual*					
Date	*Activity*	*Paid in*	*Paid out*	*Balance*	*Date*	*Activity*	*Paid in*	*Paid out*	*Balance*	
					02/27/2012	Nov Payment	673.36		-2,044.07	
					03/06/2012	FHA MIP payment		105.71	-2,149.78	
					04/05/2012	FHA MIP payment		105.71	-2,255.49	
					04/05/2012	Dec Payment	673.36		-1,582.13	
					04/06/2012	Jan Payment	673.36		-908.77	
					04/06/2012	Payment reversal	-673.36		-1,582.13	
					05/03/2012	Homeowners ins pmt		1,200.00	-2,782.13	
					05/04/2012	FHA MIP payment		105.71	-2,887.84	
					05/11/2012	City tax pmt		974.11	-3,861.95	
					06/06/2012	FHA MIP payment		105.71	-3,967.66	
					06/15/2012	Jan Payment	673.36		-3,294.30	
					07/06/2012	FHA MIP payment		105.71	-3,400.01	
					07/06/2012	Feb Payment	673.36		-2,726.65	
					08/07/2012	FHA MIP payment		105.71	-2,832.36	
					08/07/2012	Mar Payment	364.45		-2,467.91	
					08/15/2012	Apr Payment	364.45		-2,103.46	P
					08/15/2012	May Payment	364.45		-1,739.01	P
					09/01/2012	FHA MIP		105.71	-1,844.72	P
						Ending balance			**-$1,844.72**	D

* Lowest projected balance

D - The letter (D) beside the escrow balance amount indicates that your mortgage payments are delinquent, and the Beginning balance from Step 2 of HOW WE CALCULATE YOUR ESCROW PAYMENT will not match the Actual Ending Balance from the LAST YEAR IN REVIEW section.

P - The letter (P) beside an amount indicates that the payment or disbursement has not yet occurred but is estimated to occur as shown.

At the time of analysis, Bank of America, N.A. assumes that all scheduled mortgage payments will be made to the effective date of your new payment.